REMARKS

Claims 2, 4-6 have been removed from consideration. Claims 1 and 3 stand rejected under 35 USC 102(e) as anticipated by Shoemaker (US 6,027,148). Shoemaker is relied upon for disclosing a latch assembly comprising: a housing (214); a hook like member (Examiner's hand-marked "A" on Fig. 16); a pivoting pawl (266) attached to the housing; a torsion spring (284) biasing the pawl; a solenoid (312) supported by the housing; a locking member (262) actuated by the solenoid; and wherein energizing the solenoid allows the latch to disengage the keeper.

Applicants' have amended claims 1 and 3. However, said amendments have not been offered to distinguish over Shoemaker as Shoemaker is not considered to disclose " a housing having a hook-like member". The standing rejection is respectfully TRAVERSED as Shoemaker does not show every element previously recited in claim 1.

Shoemaker expressly recites his Fig. 16 as an exploded view of Fig. 5. (col. 5, lines 32-33). The bottom case of Figs. 5 and 16 is shown in detail in Fig. 7 and expressly recited as such at col. 5, lines 1-2. The slight overlap of material marked as "A" in Fig. 16 by the Examiner is not recited anywhere in Shoemaker. Nor does it bear a reference numeral. Nor is it shown in any other figure including not being shown in the enlarged views of Fig.s 7, and 9-12.

A hook is a "curved object used to catch, drag, suspend, attach, pull or close something". See *Webster's New College Dictionary* and *McGraw-Hill Dictionary of Scientific and Technical Terms.* Applicants' hook-like members 34 are curved and cooperate with the pawl 14 to <u>catch and hold</u> (attach) a keeper. There is no such purpose for the overlay flap obviously mistakenly shown in Shoemaker Fig. 16. In fact, a hook protruding into Shoemaker's V-shaped slot 300 would make Shoemaker's device inoperative and defeat its functional purpose. The Examiners attention is directed to col. 12 lines 5-22 and lines 34-44. Shoemaker's fork 266 is his pawl. Shoemaker's rod 212 is his keeper; and Shoemaker's

lock arm 262 is his pivoting pawl movement interceptor. See Figs. 9-13. Once Shoemaker

fully releases his pawl/ fork 266 to rotate, he does not want his keeper 212 caught by a hook

protruding into his V-shaped slot 300. Shoemaker does not show, nor recited a hook-
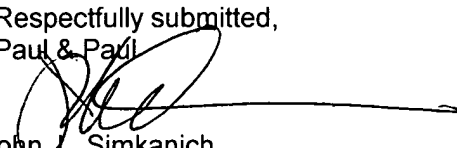
shaped element as part of his housing.

Applicants' have amended claims 1 and 3 and have added new claims 7-22. Of

these new claims, claims 16 and 22 are independent claims. It is believed that all of the

claims presented for examination 1,3, 7-22 each distinguish over Shoemaker as well as the

other prior art of record before the Examiner.

Should claims generic to the non-elected species be allowed, applicants' reserve

their right to insert dependent claims addressing the structure of any relevant non-elected

species.

Re-examination of this application with the claims presented herewith is respectfully

requested

Respectfully submitted,
Paul & Paul

Date: 6/17/03

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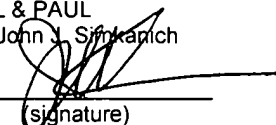Philadelphia, PA 19103
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Paper No.

GROUP 3600

Notice of Non-Compliant Amendment (Voluntary Revised Practice)

The amendment filed **5-19-03** under the voluntary revised amendment practice guidelines[1], published in the Official Gazette on February 25, 2003 (*Amendments in a Revised Format Now Permitted*, 1267 Off. Gazette 106), does not fully comply with minimal requirements of the voluntary practice. In order for the amendment to be entered, it must either (1) comply with the guidelines of the voluntary revised amendment practice (which practice invokes waivers of certain 37 CFR 1.121(a)-(d) requirements) or (2) comply with current 37 CFR 1.121 requirements.

THE FOLLOWING ITEM(S) IN APPLICANT'S AMENDMENT CAUSES THE AMENDMENT TO BE NON-COMPLIANT WITH THE VOLUNTARY REVISED AMENDMENT PRACTICE.

☐ 1. A complete listing of <u>all</u> of the claims is not present in the amendment paper.

☐ 2. The listing of claims does not include the <u>text</u> of all claims currently under examination.

☐ 3. The claims of this amendment paper have not been presented in ascending numerical order.

☐ 4. Each claim has not been provided with a status identifier, and, as such, the individual status of each claim cannot be determined.

☑ 5. Other: *Separate Sheet - each section of the amendment does not begin on a separate sheet. Applicant fails to present the text of all claims under examination. Applicant presents only currently amended claims*

LIE: Check one of the following boxes:

☐ **PRELIMINARY AMENDMENT:** Applicant is given ONE MONTH from the mail date of this letter to re-submit the amendment in compliance with either the guidelines of the revised amendment practice or current 37 CFR 1.121. Failure to comply with either the current 37 CFR 1.121 practice or with the voluntary practice will result in non-entry of the amendment and examination on the merits will commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☑ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be a *bona fide* response, applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit an amendment which complies with either the voluntary practice guidelines or current 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

[Signed by Team Leader]
Team Leader

[1] For further explanation of the guidelines of the revised amendment format, please see the posted notice and sample amendment format at:
http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf and
http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/formatrevamdtprac.pdf

March 26, 2003

EXHIBIT "A"